

21 C.J.S. Courts § 289

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Courts

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VIII. Concurrent and Conflicting Jurisdiction

B. State and United States Courts

3. Review of Judgments

b. Restrictions on Application of *Rooker-Feldman* Doctrine

§ 289. *Rooker-Feldman* limited to injury from state judgment—Claims intertwined with judgment

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West's Key Number Digest

West's Key Number Digest, [Courts](#)  [509.1](#), [509.2](#)

Although it has been held that if the federal court plaintiff is not challenging a state court decision itself, the *Rooker-Feldman* doctrine does not apply, there is also authority holding that the *Rooker-Feldman* doctrine precludes federal courts from effectively exercising appellate jurisdiction over claims "inextricably intertwined" with the state court judgment.

If the federal court plaintiff is not challenging a state court decision itself, the *Rooker-Feldman* doctrine does not apply since, to hold otherwise, would be to broaden the doctrine so that it comes, in essence, a jurisdictional doctrine of res judicata.¹ However, contrary authority holds that the doctrine precludes federal district courts from effectively exercising appellate jurisdiction over claims "inextricably intertwined" with a prior state-court judgment.² In other words, the doctrine

not only prohibits straightforward appeals of state court judgments but also federal court review of matters inextricably intertwined with state court rulings.³

A variety of views have been expressed as to when a claim will be regarded as "inextricably intertwined" with a state court judgment for *Rooker-Feldman* purposes.⁴ There is authority holding that a federal claim is inextricably intertwined with a state court judgment where success on the federal claim would depend upon a determination that the state court wrongly decided the issues before it,⁵ negate the state court's judgment,⁶ or prevent a state court from enforcing its orders.⁷

Additionally, whether a claim is inextricably intertwined with a state-court judgment hinges on whether that judgment caused,⁸ actually and proximately,⁹ the injury for which the federal-court plaintiff seeks redress or whether the federal claim alleges an independent prior injury that the state court failed to remedy.¹⁰ Finally, the phrase "inextricably intertwined" has been held to have no independent content but merely to state a conclusion: namely, that *Rooker-Feldman* bars a federal claim, whether or not raised in state court, that asserts an injury based on a state judgment and seeks review and reversal of that judgment, and such a claim is "inextricably intertwined" with the state judgment.¹¹

Claim of lack of jurisdiction.

The *Rooker-Feldman* doctrine has been held to preclude federal court jurisdiction where the plaintiff in federal court claims that the state court lacked jurisdiction to render its judgment, even where this issue was not explicitly addressed in the state court's rulings, since the state court necessarily must have concluded that it had jurisdiction to make those rulings.¹²

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Footnotes

- 1 U.S.—*Davani v. Virginia Dept. of Transp.*, 434 F.3d 712 (4th Cir. 2006).
- 2 U.S.—*In re Knapper*, 407 F.3d 573 (3d Cir. 2005); *Washington v. Wilmore*, 407 F.3d 274 (4th Cir. 2005); *Mo's Express, LLC v. Sopkin*, 441 F.3d 1229 (10th Cir. 2006).
- 3 U.S.—*U.S. v. Timley*, 443 F.3d 615 (8th Cir. 2006).
- 4 U.S.—*Bolden v. City of Topeka, Kan.*, 441 F.3d 1129 (10th Cir. 2006).
- 5 U.S.—*Washington v. Wilmore*, 407 F.3d 274 (4th Cir. 2005); *U.S. v. Timley*, 443 F.3d 615 (8th Cir. 2006).
- 6 U.S.—*In re Knapper*, 407 F.3d 573 (3d Cir. 2005); *Cooper v. Ramos*, 704 F.3d 772 (9th Cir. 2012).

- 7 U.S.—*In re Knapper*, 407 F.3d 573 (3d Cir. 2005).
- 8 U.S.—*TruServ Corp. v. Flegles, Inc.*, 419 F.3d 584 (7th Cir. 2005).
- 9 U.S.—*Bear v. Patton*, 451 F.3d 639 (10th Cir. 2006).
- 10 U.S.—*TruServ Corp. v. Flegles, Inc.*, 419 F.3d 584 (7th Cir. 2005).
- 11 U.S.—*Hoblock v. Albany County Bd. of Elections*, 422 F.3d 77 (2d Cir. 2005); *Bolden v. City of Topeka, Kan.*, 441 F.3d 1129 (10th Cir. 2006).
- 12 U.S.—*Doe v. Mann*, 415 F.3d 1038 (9th Cir. 2005).

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